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IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

**THE STATE OF CALIFORNIA, et al.,**  
  
 Plaintiffs,  
  
 v.  
  
**DONALD J. TRUMP, President of the**  
**United States, et al.,**  
  
 Defendants.

3:17-cv-05895-VC

**JOINT STIPULATION AND**  
**~~[PROPOSED]~~ ORDER AS MODIFIED**  
**AMENDING BRIEFING SCHEDULE**  
**AND CONTINUING HEARING ON**  
**PARTIES' DISPOSITIVE CROSS-**  
**MOTIONS**

Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, the parties hereby jointly stipulate to the following request for an order continuing the briefing schedule and hearing date on the parties' dispositive cross-motions:

On January 9, 2018, the Court set the following briefing schedule:

Plaintiffs' brief #1: 4/20/2018 (30 pages)

Amicus brief in support of plaintiffs or for neither plaintiffs or defendants:  
 4/27/2018 (15 pages)

Defendants' brief #1: 5/15/2018 (30 pages)

Amicus brief in support of defendants: 5/22/2018 (15 pages)

1 Plaintiffs' brief #2: 6/5/2018 (25 pages)

2 Defendants' brief #2: 6/26/2018 (20 pages)

3 Motion Hearing set for 7/11/2018 10:00 AM in Courtroom 4, 17th Floor,  
4 San Francisco before Judge Vince Chhabria.

5 The parties hereby stipulate to, and request that the Court order, the following amended  
6 briefing schedule:

7 Plaintiffs' brief #1: 7/20/2018 (30 pages)

8 Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:  
9 7/27/2018 (15 pages)

10 Defendants' brief #1: 8/21/2018 (30 pages)

11 Amicus brief in support of defendants: 8/28/2018 (15 pages)

12 Plaintiffs' brief #2: 9/14/2018 (25 pages)

13 Defendants' brief #2: 10/5/2018 (20 pages)

14 Motion Hearing set for 10/18/2018 10:00 AM in Courtroom 4, 17th Floor,  
15 San Francisco before Judge Vince Chhabria.

16 As set forth in the attached Declaration of Nimrod P. Elias, good cause exists for the  
17 parties' joint request to amend the briefing schedule and continue the hearing date. The parties  
18 believe that it is appropriate for the *House v. Azar* litigation to be resolved before litigation  
19 proceeds in this case. As the parties informed the Court last month, the D.C Circuit ordered the  
20 *House v. Azar* parties to file a supplemental brief explaining "what 'exceptional circumstances'  
21 justify partial vacatur." Order, *U.S. House of Reps. v. Azar*, No. 16-5202, Doc. No. 1720517  
22 (D.C. Cir. Mar. 5, 2018). The *House v. Azar* parties filed their supplemental brief with the D.C.  
23 Circuit on April 11, 2018. The parties here believe that a further extension in this case is  
24 warranted to ensure efficient use of the Court's resources and to prevent possible litigation of the  
25 merits question in two different courts at the same time. Therefore, the parties respectfully  
26 request that the briefing and hearing schedule be modified as outlined above.  
27  
28

1 Dated: April 16, 2018

Respectfully submitted,

2 XAVIER BECERRA  
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3 JULIE WENG-GUTIERREZ  
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4

5 */s/ Nimrod P. Elias*

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*Counsel for Defendants*

**LOCAL RULE 5-1(i) ATTESTATION**

I attest that I have obtained Joseph Dugan's concurrence in the filing of this document.

/s/ Nimrod P. Elias

NIMROD P. ELIAS

**~~PROPOSED~~ ORDER**

Pursuant to the parties' stipulation, the Court hereby orders that the schedule for the parties' dispositive cross-motions is amended as follows:

Plaintiffs' brief #1: 7/20/2018 (30 pages)

Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:  
7/27/2018 (15 pages)

Defendants' brief #1: 8/21/2018 (30 pages)

Amicus brief in support of defendants: 8/28/2018 (15 pages)


Plaintiffs' brief #2: 9/14/2018 (25 pages)

Defendants' brief #2: 10/5/2018 (20 pages)

Motion Hearing set for ~~10/18/2018~~ 10/24/2018 10:00 AM in Courtroom 4,  
17th Floor, San Francisco before Judge Vince Chhabria.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 18, 2018

  
\_\_\_\_\_  
Hon. Vincent Chhabria  
United States District Judge